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Annual Fee to Rise \$49; Legal Aid Gets Boost

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The Illinois Supreme Court on Friday hiked attorney registration fees by \$49 a year to boost both legal aid services and support for lawyers with drug and alcohol problems. Under the high court's order, the base annual fee for active lawyers rises to \$229 as of Jan. 1. Last year, the high court raised that fee to \$180 from \$140. Lawyers in their first three years of practice or who are inactive but wish to remain on the roll of attorneys pay \$90.

Most of the latest increase -- \$42 -- will go to the Lawyers Trust Fund of Illinois, which disburses monies to legal aid organizations that assist low-income residents in civil matters. The other \$7 will go to the Lawyers' Assistance Program Inc., which helps lawyers overcome drug or alcohol addiction and mental illness.

The Lawyers Trust Fund and LAP aim, respectively, to improve legal services to the poor to provide equal justice under the law, and to increase public confidence in the administration of justice, Chief Justice Mary Ann G. McMorrow said.

"These two separate increases in the fees lawyers pay is a step closer to achieving those two goals," McMorrow said in written statement. "In times of a downturn in the economy, they demonstrate a commitment by the full court, and by attorneys in Illinois, to assume responsibility for those unable to afford legal services and for those lawyers who need compassion and help."

There are now more than 57,000 active attorneys in Illinois.

The fee increase is expected to generate \$2.4 million for the Lawyers Trust Fund and more than \$400,000 for LAP, to provide additional staff and resources.

The Lawyers Trust Fund administers the high court's Interest on Lawyer Trust Accounts, or IOLTA, a program that pools clients' money, escrow funds, for instance, and that in turn generates income for the trust fund.

But low interest rates and a sagging economy have plagued the program. The deposits earned 2.5 percent in interest a year ago and now average 0.65 percent, according to Ruth Ann Schmitt, executive director of the Lawyers Trust Fund.

As a result, funding available for the legal aid groups has plummeted by more than 50 percent, from \$3.7 million a year ago to \$1.5 million this year, according to Schmitt. The Supreme Court's action raising the fee "is lifesaving for our grantees," Schmitt said Friday.

The Lawyers Trust Fund helps underwrite operations at 34 legal agencies throughout the state, including the Legal Assistance Foundation of Metropolitan Chicago, Land of Lincoln Legal Assistance Foundation Inc., based in Springfield, and Prairie State Legal Services, based in Rockford.

"This is a big step the Supreme Court has taken in demonstrating for all attorneys in the state how important it is that lawyers be made aware of their responsibilities to try to ensure legal services for all," Leonard F. Amari, a past president of the Illinois State Bar Association and chair of the Lawyers Trust Fund, said in a press release.

The fee increase is "an important step that will give lawyers and judges an opportunity to fully recover from substance abuse and mental illness so that they can perform their jobs to the best of their ability, thereby assisting the citizens of Illinois," Sheila M. Murphy, a former Cook County Circuit Court judge who is LAP's president, said in the release. More than two years ago, the high court established a special committee on lawyer assistance programs, chaired by Timothy L. Bertschy, a Peoria lawyer and former ISBA president. The committee urged the justices to provide additional resources for such programs in Illinois through increased registration fees.

"There are going to be some lawyers I suspect who are going to object to the increase, but the recommendation made to the Supreme Court regarding the fee increase had broad support from bar associations across the state," Bertschy said in the release.

LAP has helped lawyers facing personal crises for more than 20 years. The additional revenue generated by the fee hike will allow LAP to establish offices in central and southern Illinois and expand its outreach in law schools, according to Murphy. She added that the additional funding also will allow LAP to help more with relapse treatment and following up with lawyers who have completed the program.

LAP's current funding primarily comes from the state's two largest bar associations and private donations.

The high court's order Friday amends Supreme Court Rules 751 and 756, authorizing the Attorney Registration and Disciplinary Commission to collect and automatically pass along fees to the Lawyers Trust Fund and Lawyers' Assistance Program Fund. The latter is a special state treasury account created at the high court's request and allowed for under legislation enacted earlier this year.